

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No.: 2:17-cr-00114-APG-DJA

Plaintiff

Order Granting Motion to Reopen Time for Appeal

V.

[ECF No. 426]

DAVID ALAN COHEN,

Defendant

8 David Alan Cohen filed a notice of appeal. ECF No. 426. The Ninth Circuit construed
9 that notice “as a motion to reopen pursuant to Federal Rule of Appellate Procedure 4(a)(6)” and
10 remanded this case “for the limited purpose of allowing [me] to rule on [Cohen’s] March 13,
11 2024, motion to reopen the time for appeal.” ECF No. 431 at 1. The United States does not
12 oppose reopening the time for Cohen to file his appeal. ECF No. 434. I agree that there is good
13 cause to grant Cohen’s motion because he apparently did not receive my prior order (from which
14 he appeals) until significantly after I entered that order. ECF No. 426 at 1.

I THEREFORE ORDER that Cohen's motion (**ECF No. 426**) is granted to the extent it is construed as a motion to reopen the time for him to appeal. The clerk of the court is directed to serve a copy of this order on the Ninth Circuit.

DATED this 18th day of June, 2024.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE